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Meeting of the States Parties to the International Covenant on Civil and Political Rights

Summary record of the 2524th meeting
Held at Headquarters, New York, on Wednesday, 26 March 2008

Chairman: Mr. Rivas Posada

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The meeting was called to order at 3.04 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Second periodic report of The former Yugoslav Republic of Macedonia (CCPR/C/MKD/2 and CCPR/C/MKD/Q/2) (*continued*)

1. *At the invitation of the Chairperson, the members of the delegation of The former Yugoslav Republic of Macedonia took places at the Committee table.*

2. **Ms. Geleva** (The former Yugoslav Republic of Macedonia), referring to the issue of non-refoulement, said that a group of Roma, Ashkali and Egyptian refugees from Kosovo had been staying in her country since the 1999 refugee crisis. Some had not been given refugee status, and individual applications had been processed in accordance with the provisions of the law. No forced repatriations had been carried out, and the United Nations High Commissioner for Refugees (UNHCR) had assisted only those who had chosen to return to Kosovo voluntarily to do so.

3. On the issue of inappropriate second instance procedures, she reiterated that amendments to the law on General Administrative Procedure had been adopted, and that the law on Asylum and Temporary Protection would be amended accordingly, enabling rejected applicants to file appeals with the Administrative Court instead of the Government's Second Instance Commission.

4. UNHCR had confirmed that applicants were not discriminated against on the basis of ethnic origin and all those who could not return safely to Kosovo remained in Macedonia and received UNHCR and Government assistance.

5. On the al-Masri case, the investigation had been comprehensive. Mr. al-Masri had been held at the border while the police checked his passport for evidence of possible forgery. Further investigation by the Ministry of the Interior had produced no additional information.

6. Turning to discrimination against the Roma, she said that an action plan, jointly funded by the Government and international donors and covering issues such as access by the Roma to education, health and jobs, was being implemented under the Decade of Roma. She expressed the hope that the action plan, would continue to build on its current results. Her country took pride in the Roma community, which was well represented at the political level. A number of non-governmental organizations were trying to address the complex problems faced by that community.

7. The legal definition of rape was an extremely important issue. The Committee's comments would be taken into account by the Minister of Justice in amending the Criminal Code.

8. **Mr. Manevski** (The former Yugoslav Republic of Macedonia) said that the discussion on the legal definition of rape would be reflected in the reformed Criminal Code, which would be adopted by the end of 2008. As a former public prosecutor, he believed that the issue had been raised at the opportune moment.

9. **Mr. Zafirovski** (The former Yugoslav Republic of Macedonia), turning to the access by citizens to police oversight mechanisms, said that the Law on the Police stipulated that a citizen could file a complaint in the event of ill-treatment by the police. In the past, many of the complaints had been lodged with the Sector for Internal Control and Professional Standards through international organizations. However, ever since the introduction of new operational standards the previous year, fewer complaints had been filed through NGOs, indicating increased confidence in the police oversight mechanisms. The Sector for Internal Control and Professional Standards was also committed to making a finding within 30 days of a complaint and to informing the complainant in writing about the outcome of each investigation.

10. Mr. O'Flaherty had rightly concluded that victims of human trafficking received minimal indemnification. However, the legal obligation to award damages to victims of human trafficking had been introduced only recently in his country, and he expressed the hope that the two initial cases involving the award of damages would encourage the courts and police to adopt a more serious approach to the issue.

11. **Mr. Manevski** (The former Yugoslav Republic of Macedonia) said that the Law on Amnesty, which had been adopted at a certain point in history and in response to a specific political problem, was limited in duration and scope and did not cover the cases mentioned by the Committee. With regard to the cases that had been returned by the International Criminal Tribunal for the former Yugoslavia, his Government, in cooperation with the Organization for Security and Cooperation in Europe (OSCE), had implemented a

year-long training programme for judges and public prosecutors on quality processing of cases. The Government had also adopted a law on cooperation with the Tribunal. A courtroom equipped with modern equipment had made it possible to interrogate witnesses who did not wish to reveal their identity.

12. **Mr. Zafirovski** (The former Yugoslav Republic of Macedonia), on police treatment of the Roma, said that the police followed standard operating procedures and treated all ethnic groups equally. The Sector for Internal Control and Professional Standards sanctioned those officers who were found not to have followed standard operating procedures in the performance of their duties. The police was instructed to pay special attention to historically marginalized groups such as the Roma, and to establish firm working relations with NGOs dealing with Roma issues. The Sector for Internal Control and Professional Standards worked in a transparent manner, and information on its activities was posted on the Ministry of the Interior website.

13. **Mr. O'Flaherty** welcomed the delegation's helpful responses, which, in most cases, provided an impressive amount of information on the Government's approach to tough challenges. He suggested that the delegation consider establishing an independent police oversight body, as many countries had found it to be a useful device. While he was impressed by the State party's work in the area of trafficking, he wished to have additional information on the efforts the Government was making to change public perceptions, promote social change and establish the correct disciplinary framework for police and other public officials on the issue.

14. He was unhappy with the Government's position on the al-Masri case, and hoped that the delegation would reconsider the matter and give either oral or written responses to his specific questions. The Committee could not ignore the al-Masri case because it raised multiple issues under the Covenant, which called for a genuine dialogue in order to promote the protection of Covenant-based rights in States parties. A dialogue was impossible on the basis of very strong allegations on the one hand and the Government's refusal to engage with the issues on the other.

15. **Mr. Amor** welcomed the delegation's responses, particularly with regard to the question of rape and requested the delegation to provide the Committee with a written response on the State party's implementation of article 11 of the Covenant.

16. **Mr. Sánchez-Cerro** said that the delegation's explanation with respect to the Government body responsible for asylum-seekers was unclear. Indeed, it should shed light on the composition of the Government's Second-Instance Commission and the First-Instance Commission, which seemed to have the same members. Such a scenario would appear to undermine the judicial review process, meaning that potential asylum-seekers could be forced to return to countries where their lives would be in danger.

17. **Mr. Manevski** (The former Yugoslav Republic of Macedonia) referring to human trafficking, said that the Government was implementing, in cooperation with the European Commission and the Italian Government, a training programme that targeted organized crime and corruption. Negotiations were under way to make his country a regional centre for the coordination of regional efforts to prevent human trafficking and other related activities. His delegation would provide further explanation on the prevention of human trafficking and on article 11 of the Covenant in writing.

18. **Mr. Zafirovski** (The former Yugoslav Republic of Macedonia) said that a project financed by OSCE and involving experts from the Sector for Internal Control and Professional Standards, the public prosecutor's office and the Ombudsman, was analysing existing police monitoring mechanisms. The project, which was launched six months previously, was in its final stages. On the basis of its findings and of the experiences of other countries with comparable legal systems, an independent, external police monitoring system would be established.

19. **Ms. Trencevska** (The former Yugoslav Republic of Macedonia), responding to the question on internally displaced persons, said that, according to a 2001 report of the Ministry of Labour and Social Policy, there were 778 of them, in her country. The Government continued to provide financial assistance to them, and it had offered private accommodations to all those who were housed at collective centres; 202 individuals had accepted the Government offer.

20. With regard to the conditions of facilities where internally displaced persons from the Lipkovo region were housed, a Government delegation had visited the region and held meetings with the internally displaced

and returnees. The internally displaced persons had rejected the Government's offer to rebuild the remaining damaged homes because they insisted on pursuing their claims for compensation for damages resulting from the 2001 crisis.

21. **Ms. Geleva** (The former Yugoslav Republic of Macedonia) said that it was the Supreme Court, and not the Second-Instance Commission, that took the final decision on rejected asylum applications. It was possible that there were people serving on the Commission who also worked in the Ministry of the Interior. The Supreme Court had confirmed the Second-Instance Commission's decision with respect to the cases of over 300 persons from Kosovo. Despite that decision, those persons had not been returned to Kosovo because of the unsafe environment in that country.

22. **Mr. Zafirovski** (The former Yugoslav Republic of Macedonia) said that none of the members of the lower court had been members of the appeal court.

23. **Ms. Atanasova** (The former Yugoslav Republic of Macedonia), replying to question 14 on the list of issues, said that the State Programme for the Prevention and Repression of Corruption and its Action Plan provided for the strengthening of measures to prevent corruption in the judiciary, including through the draft law on the Public Prosecutor's Office. Procedures for the election of judges and public prosecutors had been depoliticized, new information technologies would promote transparency, the judiciary had an internal monitoring system and a unit within the Ministry of Justice was responsible for monitoring enforcement agents, notaries and mediators.

24. The backlog of court cases had been reduced by 6.4 per cent since 2005 following the adoption of the Law on Civil Procedure and the Law on Criminal Procedure, and the new Mediation Law provided an alternative settlement mechanism for civil, economic and employment disputes. The Law on Minor Offences obliged the authorities to harmonize penalties for the offences that it covered and amendments to the 2005 Constitution gave administrative bodies the power to impose sanctions for certain misdemeanours; appeals against such decisions could be lodged with the newly established Administrative Court.

25. The lack of court translators and interpreters for Albanian, Turkish and other local languages was being addressed through a 2005 decision on the training of translators and interpreters from those communities with a view to their employment in State administrative bodies and the courts. The European Agency for Reconstruction had funded a nine-month training programme for 99 university graduates, of whom 61 were currently employed in the administration and 38 in the courts. The Law on Criminal Procedure and the 2005 Law on General Administrative Procedure established the right to use of an interpreter in dealing with the courts and with administrative bodies.

26. **Ms. Geleva** (The former Yugoslav Republic of Macedonia), speaking with regard to freedom of religion, said that the 2007 Law on the Legal Status of a Church, Religious Community or Religious Group, which would come into force on 1 May 2008, addressed the concerns expressed regarding articles 5 and 8 of the previous Law on Religious Communities and Religious Groups and brought domestic law into line with article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. The restrictions on the performance of religious activities by foreign nationals had been lifted and registration procedures had been simplified. Henceforth, churches, religious communities and religious groups would be able to apply for registration as legal entities by submitting appropriate documentation to the First Instance Court of Skopje. They would then be entered in a single court register that was open to the public.

27. **Mr. Manevski** (The former Yugoslav Republic of Macedonia) said that all the nation's religious groups had supported the adoption of the new Law, which met the high standards set by the European Court of Human Rights and were consistent with the right to freedom of religious practice guaranteed by the Constitution. He therefore believed that religious tolerance had been achieved in his country.

28. **Ms. Geleva** (The former Yugoslav Republic of Macedonia), turning to the issue of freedom of opinion and expression, said that in order to harmonize domestic law with the European Convention for the Protection of Human Rights and Fundamental Freedoms and the jurisprudence of the European Court of Human Rights, the offences of defamation and insult had been decriminalized; they no longer carried the penalty of imprisonment, nor could they be prosecuted ex officio by the State.

29. **Mr. Manevski** (The former Yugoslav Republic of Macedonia) said that under the new legislation, the offences of defamation and insult were prosecuted only where a complaint had been lodged. Penalties included a fine and compensation for the plaintiff. Most cases to date had involved journalists accused of slander.

30. **Ms. Geleva** (The former Yugoslav Republic of Macedonia) said that the issue of incitement to racial hatred had been discussed at length by the Committee on the Elimination of Racial Discrimination in 2007 in the context of its discussion of the Government's fourth to seventh periodic reports, submitted in a single document (CERD/C/MKD/7). In 2007, three cases had been prosecuted under article 137 of the Criminal Code; she thought that there had not been more cases because racial and religious discrimination were not serious problems in her society.

31. **Mr. Manevski** (The former Yugoslav Republic of Macedonia), replying to question 19 on the list of issues, said that the election irregularities which had given a poor impression of his Government in the past had been totally eliminated.

32. **Ms. Atanasova** (The former Yugoslav Republic of Macedonia) said that 14 of the 19 court cases involving election irregularities had been completed, two were still pending and in the remainder of the cases, the charges had been dropped; of the 28 resulting convictions, 11 had been confirmed on appeal. In the two cases that had received the most publicity, the defendants had been sentenced to six months to three years of imprisonment.

33. Since 2005, the Ministry of Justice had been working with non-governmental organizations (NGOs) and other representatives of civil society to review the relevant legislation. Draft amendments to the Election Code, which targeted "family voting" (whereby men voted for their wives), proxy voting and campaign financing and reporting irregularities, were awaiting adoption by Parliament.

34. **Ms. Geleva** (The former Yugoslav Republic of Macedonia), on the rights of persons belonging to minorities, said that the Government was strongly committed to achieving a multi-ethnic democracy. Under the 2001 Framework Agreement, a number of constitutional amendments had been adopted with a view to the appointment of members of non-majority ethnic groups to the civil service. A strategy on equitable representation had been adopted in 2007 and every ministry had been required to submit an action plan for its implementation. During the past year, 545 members of ethnic minorities had been hired, bringing their total number to 12,530. Some ministries had made more progress than others; members of non-majority ethnic groups accounted for 30 per cent of staff in the army, 17 per cent in the police and 24 per cent in the Ministry of Foreign Affairs. However, care was taken to recruit only well-educated staff, regardless of their ethnic affiliation.

35. **Mr. Manevski** (The former Yugoslav Republic of Macedonia) added that the new Law on Quotas and the draft law on the Public Prosecutor's Office, which was expected to be adopted, would reduce the length of prior experience required for the appointment of members of non-majority ethnic groups from five years to three years for judges, from eight years to five years for public prosecutors and from 12 years to 8 years for Supreme Court justices. The new procedures would also promote the appointment of highly educated young people from all ethnic groups.

36. **Mr. Zaflrovski** (The former Yugoslav Republic of Macedonia), replying to question 21 on the list of issues, said that many Roma were not registered as citizens. Most of them were nomadic with no fixed abode and, in any event, were not aware of the need to regularize their situation. Consequently, they were unable to exercise their right to vote and had no access to health care, social assistance or an education.

37. In 2007, the Ministry of the Interior had worked with three Roma NGOs, which had organized a campaign to provide the Roma with incentives to submit any personal documents in their possession so that they could be issued identification papers. However, there had only been 12 applicants under that programme; their cases had all been processed. A further project was being developed in cooperation with the Office of the United Nations High Commissioner for Refugees and his Government anticipated that the problem would be resolved prior to the submission of its next report.

38. **Ms. Geleva** (The former Yugoslav Republic of Macedonia), speaking in reply to question 22 on the list of issues, said that the Office of the Ombudsman had confirmed that there had been no complaints concerning the right to use the language of minorities in local government units. Such languages were in

official use in two municipalities: Gostivar (the Turkish language) and Kursevo (the Vlach language).

39. **Mr. Azizi** (The former Yugoslav Republic of Macedonia) said that the Turkish and Serbian communities had the opportunity to receive instruction in their languages at the primary and secondary school levels. Instruction in the Roma, Vlach and Bosniak languages was not available; however, as a result of the educational reforms that had extended primary education from eight to nine years, students from those communities were now entitled to two hours of instruction per week in their mother tongue. The Ministry of Education and Science was preparing to offer additional training for teachers in non-majority language programmes, the Bureau for Education Development provided advisory services and the State Education Inspectorate monitored the quality of teaching.

40. Various education initiatives were being taken in the context of the Decade of Roma (2005-2015). Since January 2001, the Ministry of Science and Education had developed a National Roma Strategy and Action Plan, distributed materials to all departments of the Ministry and established a task force to implement the Action Plan. It had provided scholarships to 30 Roma students under more lenient application requirements and was making efforts to include the parents of Roma students in parent-teacher associations. A secondary school was being established in the nation's only Roma municipality and the enrolment of 918 Roma students in the nation's other secondary schools had been facilitated. The quote for the equitable representation of students from non-majority communities in the secondary schools had been increased from 2.6 per cent to 4 per cent, without detriment to the selection of other students on the basis of merit.

41. Optional teaching in the Roma language was being introduced in five schools and efforts were being made to prevent the segregation of Roma students in the primary and secondary schools. At the University level, a department of Roma studies was being established and study of the Roma community was being included in the teacher training curriculum. Additional proposals for increasing the enrolment rate of Roma students had been submitted to the Government; inter alia, it had been suggested that textbooks on the Roma language and culture should be developed.

42. **Mr. Manevski** (The former Yugoslav Republic of Macedonia) added that under a new programme entitled "A Computer for Every Child", the Government had allocated funds for the purchase of 100,000 computers that were being installed in the primary and secondary schools and were expected to make education more accessible.

43. **Ms. Geleva** (The former Yugoslav Republic of Macedonia), turning to question 24 on the list of issues, said that the Government had issued publications on the regional and international human rights instruments; they were distributed to all governmental bodies and educational institutions and were provided to NGOs upon request. The Ministry of Foreign Affairs had recently announced that it had added to its website a link to the Government's reports to all the human rights bodies, which were posted in Macedonian and English.

44. Unfortunately, the Government had little experience in involving civil society in the drafting of those reports, and its efforts in previous years had met with little success. In December 2007, on the occasion of International Human Rights Day, the Ministry of Foreign Affairs and the United Nations country team had organized a workshop on the topic of "Reporting obligations to the United Nations human rights bodies: issues of common interest and how to improve the national reporting process". There had been great interest in that event and another round of consultations was planned. It had been decided that there were already adequate mechanisms for ensuring civil society's involvement in the drafting of reports and that the focus should be on inviting NGOs to comment on the concluding observations of the human rights bodies. That initiative was still at an early stage, although a national NGO was already monitoring implementation of the Committee on the Elimination of Discrimination against Women's concluding observations on his Government's combined initial, second and third periodic report (CEDAW/C/MKD/CO/3).

45. **Ms. Wedgwood** noted that, according to the reply to question 13, internally displaced persons in the Lipkovo region had rejected the Government's offer to restore damaged or destroyed houses because first they wanted to pursue their claims for compensation for damage resulting from the 2001 crisis. She was curious to know why one action was being made conditional on the other. Surely it would be preferable to restore the

houses first and worry about compensation later. It was very difficult to maintain a family in temporary housing and claims could take years to resolve. Furthermore, the issue of internally displaced persons was inextricably linked to other Covenant values, such as the right to family.

46. Referring to the statement in the reply to question 21 that the Ministry of the Interior was making efforts through several NGOs to encourage those Roma who had not regularized their national and citizenship status to do so, she asked who bore the burden of proof should a Roma community member claim to be a citizen of the Republic. If the family itself bore that burden, it might end up being stateless.

47. With respect to the use of minority languages, she wondered whether the State actively encouraged local authorities to use languages spoken by less than 20 per cent of the population as an official language.

48. According to the reply to question 23, an initiative had been adopted to increase the State quota for Roma students from 2.66 per cent to 4 per cent. That quota seemed very small to her. She wished to know whether there were any Roma-language newspapers or television programmes. The Government might also wish to consider other more creative ways of reaching Roma children, for example by streaming educational material to them via computers. Lastly, she asked the delegation to respond to claims that, owing to a lack of classes, some Turkish students were forced to travel to other municipalities.

49. **Mr. Bhagwati** asked the delegation to respond to reports of clashes between Macedonian and Albanian students over the introduction of additional classes in Albanian and the functioning of ethnically mixed schools and to describe what was being done to improve cooperation between the two groups. He would also be interested to know what steps were being taken to remedy the reported lack of institutional capacity to integrate minority languages and cultures into the education system; to tackle the shortage of teachers from Roma and other minority communities; to reduce the dropout rate among Roma children, particularly girls; and to ensure an equitable distribution of higher education places among all communities. In that regard, the delegation might wish to shed light on reports that the Government's planned quota system had encountered difficulties.

50. In the concluding observations adopted following its consideration of the State party's initial report (CCPR/C/79/Add.96), the Committee had noted with concern the continued application of restrictive legislation in various fields, including concerning the importation of foreign printed materials. He wished to know whether any steps had been taken to address that issue and, in particular, whether the legislation in question had been repealed.

51. In the same concluding observations, the Committee had expressed its concern at the fact that minority participation in political, administrative, cultural and other institutions was still well below a level commensurate with their proportion of the population. It would seem from the delegation's earlier comments that that issue had been addressed.

52. With regard to freedom of religion (art. 18), he asked whether the new law on the Legal Status of a Church, Religious Community and Religious Group would replace the previous Law and whether the former distinctions between religious communities and religious practices had now been removed.

53. Lastly, he wished to know whether any action had been taken in response to the legislation on denationalization mentioned earlier; whether any machinery had been introduced to enforce its provisions; under which circumstances a property would be restored to its original owner; and how many properties had been restored to their original owner thus far.

54. **Mr. O'Flaherty** expressed appreciation for the comprehensive and encouraging statistics relating to the reduction of the backlog of court cases (replies, question 15), but requested more information on the measures taken to fight corruption in the judiciary.

55. He welcomed the steps taken with regard to minority language education, in particular the introduction of optional subjects for studying the language and culture of the Roma, Vlachs and Bosniaks (replies, question 23), but wondered whether two classes a week would be sufficient. He also made the point that minority groups wanted not to learn about their language, but rather to receive instruction in their language. He was pleased that the Government recommended against the segregation of Roma children into Roma classes, but wondered whether it would not be better to prohibit such segregation altogether. He also asked the delegation to respond to reports of a

high incidence of bullying of Roma children by both their peers and their teachers. He wanted to know whether the Government would consider adopting comprehensive anti-discrimination legislation.

56. With regard to the dissemination of information relating to the Covenant and the Optional Protocol (art. 2), he asked whether the State party's reports and the Committee's concluding observations were translated into the minority languages, disseminated to public libraries and deposited in the Parliament's library and, if not, whether the Government would consider doing so.

57. Lastly, in view of the poor level of NGO representation at the meeting, he asked the delegation to inform NGOs in the former Yugoslav Republic of Macedonia that the Committee would welcome their participation in future meetings.

58. **Ms. Motoc** asked how many cases were prosecuted under article 137 (injury to the equality of citizens) of the Criminal Code. Despite the many provisions implementing the law, it would seem that citizens were reluctant to seek justice and few judgments were passed. She wished to know how the Government planned to educate judges and citizens in that regard. She would also like to know whether the investigations conducted into the reported irregularities during the local elections of April 2005 had yielded any results and how many people had been found guilty and punished.

The meeting was suspended at 4.55 p.m. and resumed at 5.15 p.m.

59. **Ms. Trencevska** (The former Yugoslav Republic of Macedonia) said that the Government was in no way linking the restoration of housing damaged or destroyed in 2001 to the financial assistance received by internally displaced persons. Just because internally displaced persons in the Lipkovo region had rejected the Government's offer to restore their houses did not mean that they were no longer under the Government's care. The Government continued to provide monthly financial assistance to internally displaced persons until such time as they returned home.

60. On the issue of comprehensive anti-discrimination legislation, she said that a task force comprising Government and NGO representatives had been established to analyse both existing legislation and the situation of other countries in the region and beyond. Just that month, the Government had begun preparing a draft text. The text included mechanisms to protect people against discrimination on various grounds, including age, ethnicity, race, sexual orientation and disabilities. If everything went according to plan, the draft would be submitted to the Government by September 2008 and adopted by the Parliament before the end of the year.

61. **Mr. Manevski** (The former Yugoslav Republic of Macedonia) said that the Ministry of Justice had prepared a draft relating to the exercise and expression of the cultures and traditions of ethnic minorities falling below the 20 per cent threshold. He hoped that the Government would give full consideration to the draft, which would improve the human rights of all communities.

62. **Mr. Zaflrovski** (The former Yugoslav Republic of Macedonia) said that the Government was not questioning in any way the citizenship of undocumented Roma community members, since without papers they would not have been able to enter the country. Rather, it was looking at how it could encourage such people to regularize their status. The problem was compounded by the fact that information campaigns simply did not reach Roma communities, which led a nomadic existence and had little or no access to television or newspapers. In his view, NGOs could assist the Government by convincing such communities of the benefits of acquiring citizenship.

63. **Mr. Azizi** (The former Yugoslav Republic of Macedonia), referring to media offerings in the minority languages, said that most programmes on the second channel on State-owned television were in the Roma language, and that on other channels and radio broadcasts there was extensive programming, mainly in Albanian, but also in the Turkish, Bosniak, Vlach, Roma and Serbian languages. There was no Roma newspaper because the alphabet had not yet been standardized.

64. Regarding educational issues, the quotas for minority student enrolment in State-owned universities were minimum quotas, and even then, it was often impossible to make up the 4 per cent because there were not enough qualified secondary school graduates. The main problem in attracting teachers from the Roma community itself was the lack of qualified teachers; and one priority of the Ministry of Education and Science in its action plan had been to establish a

department of instruction in Roma in the pedagogical faculties. It was true that the two hours per week of language study in the minority languages was not sufficient, but the action plan should improve that situation as well.

65. The problem of female dropouts after primary school, especially in the Roma and Turkish communities, had been addressed by making secondary school mandatory and fining parents who did not send their children to school, while at the same time conducting a broad campaign to familiarize parents with that new notion. In the case of Vlachan Turkish students who had to travel to other municipalities to attend mandatory secondary school, the Government provided housing. There had indeed been clashes between Albanian and other ethnic minority students, but only in the one municipality of Struga. The Government was trying to resolve the conflict swiftly not by segregating students by ethnicity but rather by working with the parents, the students involved and the schools. In Skopje, for instance, which had a great many schools of mixed population, there had been no tensions.

66. The Ministry of Education and Science had introduced a new "civil culture" course extending over the late primary school and early secondary school years, in which subjects such as human rights, democracy, the role of the citizen and of the mass media in society, or the need for tolerance and cooperation were taught, so as to inculcate critical thinking and produce students informed on national and global issues.

67. **Ms. Geleva** (The former Yugoslav Republic of Macedonia) said that one of the basic plans under the United Nations Children's Fund (UNICEF)-sponsored "Education for All" project was to start Roma children in preschool in order to avoid dropouts later on, and to identify the factors that led pupils to drop out, especially in multi-ethnic schools. The State was also providing many extra-curricular activities specifically targeting the Roma, and was working on other educational or cultural projects with the European Agency for Reconstruction. Also, there were no restrictions on foreign publications and newspapers that could be imported.

68. Following the 2005 election irregularities, observed by many international monitors, the election boards were no longer composed simply of political party representatives and one judge, but now comprised also professionals from all walks of life and government administrators. All elections after 2005 had proceeded normally.

69. A few complaints of racial discrimination had been submitted under article 137 of the Criminal Code since 2000, but none of them had come to trial as yet. Most of the public was unaware of that remedy, and the Government was making an effort to inform the people about their rights. The nation had come a long way, however, in public awareness of human rights violations and had become involved in resolving the issues that came up. She would be sure to convey Mr. O'Flaherty's message to the NGOs in her country. Also, copies of the periodic reports and concluding observations would be given to the newly established parliamentary library. As for the translation of texts, the problem was the lack of human and financial resources.

70. **Mr. Manevski** (The former Yugoslav Republic of Macedonia) said that the new Law on the Legal Status of a Church, Religious Community and Religious Group would take effect in May 2008, rescinding many of the provisions of the older legislation on the matter. The constitutional amendment relating to freedom of religion and worship upheld separation of Church and State and declared that the Orthodox, Islamic, Catholic, Evangelical Methodist, Jewish and other faiths were all equal before the law.

71. The denationalization of confiscated property and its restoration to the former owners — or monetary compensation for what could not be restored — was proceeding quickly, and the Ministry of Finance would be concluding the process by July 2008. As to corruption in the judiciary, one judge had already been sentenced, another had been charged and several other cases were being prepared for trial. The Judicial Council, recently appointed to oversee the judicial system, intended to take all appropriate steps under the law to combat corruption.

72. **Ms. Wedgwood** observed that the Government could not delegate the regularization of status to NGOs, but should use their approach and send mobile teams to the places where undocumented persons lived, for they themselves would never come to City Hall. Also, while it had perhaps been unwise for some of the internally displaced persons to refuse the Government's bona fide offers of housing, it would

now be sensible for the Government to be especially generous, in the interest of settling all the internally displaced and their children.

73. **Mr. O'Flaherty** observed that the discussions with the delegation of The former Yugoslav Republic of Macedonia had been one of the most open, constructive and useful debates that he had seen in his time on the Committee.

74. **The Chairperson** noted the Committee's recognition of the advances the State party had made in many areas, especially its determination to give the country greater institutional stability and to modernize its legal system. Since many of the reforms were very recent, it was of course too early to judge the equally important practical results they would have. Commendably, an Ombudsman had been appointed, but that did not preclude the establishment also of a national human rights body, which many States in the region had found to be very useful. The fight against corruption in particular had to be a long and continuing effort, which required education and a fundamental transformation of outlook.

75. The members of the Committee had expressed a number of concerns: about the very sensitive issue of reluctance to testify in cases of rape; about the full acceptance of the notion of amnesty and the commitments it entailed, one of which was compensation for the victims of human rights violations; and about a number of instances of apparent impunity for disappearances and kidnappings, where it was not clear that the Government had made enough effort. The Committee looked forward to receiving more information on the results of the investigations into the 2005 election irregularities.

76. An important advance had been the decriminalization of certain types of action engaged in especially by journalists, thus removing a threat to freedom of speech. The Government had also recognized the importance of protecting minorities in a mostly multi-ethnic country, and acknowledged the scope of the problem, where balance had to be struck between the demands of national unity and the protection of the whole range of minority rights. He hoped that publicizing the Covenant would help advance human rights in the country.

77. **Mr. Manevski** (The former Yugoslav Republic of Macedonia) said that the comments and encouragement of the Committee would serve as a stimulus to even greater success in furthering human rights, as befitted a democratic society. His Government was working very hard to meet all the criteria for membership in the European Union and modifying its legislation accordingly. He hoped also that it would succeed in changing the mindset of its people, because citizens had a right to live in a State under the rule of law. As a token of his respect, he presented to the Committee a book he had written on combating corruption.

78. **The Chairperson** said that he would be pleased to put his book in the Committee's library.

The meeting rose at 6.05 p.m.